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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,966	11/21/2000	Martijn Johannes Lambertus Emons	PHN 17,746	9680

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EXAMINER

CAO, CHUN

ART UNIT PAPER NUMBER

2115

DATE MAILED: 12/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/717,966

Applicant(s)

EMONS, MARTIJN JOHANNES  
LAMBERTUS

Examiner

Chun Cao

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 11 and 15 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-10, 12-14 and 16-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-24 are presented for examination. Claims 20-24 are newly added claims.
2. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 9-10, 12, 16-19 and 20-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 9-10 and 12 recite the limitation "the data processing system" in line 1.

There is insufficient antecedent basis for this limitation in the claim.

Claims 16-19 recite the limitation "the system" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "the unused portion" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 22 recites the limitation "the second processor memory" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

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Claim 23 recites the limitation "the second memory" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 21-24 are rejected because they incorporate the deficiencies of claim 20.

5. Claim 20-24 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a data processing unit comprises a first processor, does not reasonably provide enablement for the data processing unit comprises a second processor, and a second processor memory is not accessible to the second processor, and the second processor memory is disconnected from the second memory. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims. The specification only discloses a data processing unit comprises a first processor and a video controller as shown in figures 1-4.

6. Claims 1, 2, 4-6, 13, 14 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Carmean et al. (Carmean), U.S. Patent No. 5,669,003.

Carmean is prior art reference cited in prior office action.

As per claim 1, Carmean discloses a data processing system [figures 4a-4d] which adapted to function in a reduced-power mode, comprising:

a first data processing unit [a processor] that has access to a memory [a cache] belonging to the first data processing unit [col. 6, lines 11-14]; and

a second data processing unit [a processor] having its own memory, said second data processing unit having access to the memory belonging to the first data processing unit [col. 6, lines 11-22], wherein the first data processing unit is arranged for offering the second data processing unit access to the memory belonging to the first data processing unit in a reduced-power mode of the data processing system so that the second data processing unit utilizes the memory belonging to the first data processing unit instead of its own memory [col. 6, lines 11-22; col. 7, lines 49-63].

As per claim 2, Carmean discloses that the first data processing unit is arranged for offering the second data processing unit access to the memory belonging to the first data processing unit in a period of time in which the reduced-power mode of the data processing system implies a reduced-power mode of the first data processing unit [col. 6, lines 1-22].

As per claim 4, Carmean discloses that the memory belonging to the first data processing unit forms part of the first data processing unit [fig. 1; col. 2, lines 66-67].

As per claim 5, Carmean discloses that the memory belonging to the first data processing unit is a cache memory [fig. 1; col. 2, lines 66-67].

As per claim 6, Carmean discloses that the first data processing unit is a microprocessor [fig. 1; col. 2, lines 66-67].

7. As per claim 13 and 16-18 are written in means plus function format and contained same limitations as claims 1 and 4-6, therefore same rejection is applied.

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As per claim 14, Carmean discloses the second memory unit can be accessed by system components other than the first data processing unit in the reduced-power mode [col. 7, line 51-col. 8, line 7].

8. Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carmean et al. (Carmean), U.S. Patent No. 5,669,003 in view of Conary et al. (Conary), U.S. Patent No. 5,481,731.

Conary is a prior art references cited in prior office action.

As to claims 7 and 19, Carmean does not explicitly disclose a video controller.

However, Conary discloses a video controller [a display device, col. 4, line 22. Since the computer system comprises a display device. It would have been obvious to one of ordinary skill in the art at time the invention to combine the teachings of Conary and Carmean because the specify teachings of Conary stated above would have improved the functionality of the Carmean's system by including a video controller in order to control video display in the display device.

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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10. Claims 8-10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Pawate et al. (Pawate), U.S. Patent No. 6,185,740.

As per claim 8, Pawate discloses a data processing unit [DSP, fig. 3] having access to a memory [local memory 58, fig. 3] belonging to the data processing unit situated in a switched-off mode [powered off state], wherein the memory belonging to the data processing unit is accessible to a second data processing unit having a second memory unit of its own [fig. 3; col. 15, lines 1-23].

As per claim 9, Pawate discloses a mechanism that allow the first data processing unit to offer the second data processing unit access to the memory belonging to the first data processing unit in the reduced-power mode [col. 15, lines 20-23].

As per claim 10, Pawate discloses the second memory unit can be accessed by system components other than the first data processing unit in the reduced-power mode [col. 5, line 64-col. 6, line 6].

As per claim 12, Pawate discloses that the memory belonging to the first data processing unit is a cache memory [figures 2, 3; col. 6, lines 65-67].

***Allowable Subject Matter***

11. Claims 3, 11 and 15 are allowable over prior art.

12. Applicant's arguments filed on 9/14/2004 have been fully considered but are moot in view of new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Chun Cao

Nov. 30, 2004